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Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 21 March 2017 from the Permanent Mission of the Republic of Moldova to the United Nations addressed to the Chair of the Committee

The Permanent Mission of the Republic of Moldova to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006), and has the honour to enclose herewith the report of the Republic of Moldova on the implementation of the Security Council resolution 2321 (2016) concerning the Democratic People's Republic of Korea (see annex).

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Annex to the note verbale dated 21 March 2017 from the Permanent Mission of the Republic of Moldova to the United Nations addressed to the Chair of the Committee

Report of the Republic of Moldova on the implementation of Security Council resolution 2321 (2016)

In accordance with Security Council resolution 2321 (2016), the Government of the Republic of Moldova brings to the attention of the Committee information regarding measures undertaken with regard to the implementation of the above-mentioned resolution.

Measures adopted at the national level

In December 2016, the Ministry of Foreign Affairs and European Integration informed all relevant national stakeholders of the adoption of Security Council resolution 2321 (2016) and mandatory actions to be undertaken in order to comply with relevant provisions of the new restrictive measures imposed against the Democratic People's Republic of Korea. On 5 December 2016, the Ministry of Foreign Affairs and European Integration transmitted for publication in the *Official Journal of the Republic of Moldova* the executive order on restrictive measures against the Democratic People's Republic of Korea.

On 13 December 2016, the Ministry of Transportation and Road Infrastructure issued a circular notification informing the managers, ship owners and captains of vessels navigating under the flag of the Republic of Moldova about the new restrictive measures imposed on the Democratic People's Republic of Korea. In the circular notification, it called on all subjects in question to comply, particularly with provisions 18-20, 22, 23, 25 and 27-31 of Security Council resolution 2270 (2016), which refer to the inspection of cargo coming from or designated for delivery to the Democratic People's Republic of Korea, or the renting of services or freighting in favour of the Democratic People's Republic of Korea by vessels flying the flag of the Republic of Moldova, among other things, under penalty of removal of such vessels from the State Register of Ships in the event of violation of the above-mentioned resolutions.

With regard to rail transport, information on restrictive measures taken against the Democratic People's Republic of Korea was disseminated to all rail services in the Republic of Moldova. There is currently no transportation of goods and passengers by rail between the Republic of Moldova and the Democratic People's Republic of Korea, and none is expected in the near future.

Referring to road transport, the national authority placed on its official website information concerning the provisions of the Security Council resolution on United Nations travel restrictions imposed on individuals suspected of involvement under diplomatic cover in developing the nuclear programme of the Democratic People's Republic of Korea.

With regard to air transport, the authorities of the Republic of Moldova issued a circular letter informing ground-handling companies about the regulations and controls concerning the refuelling of aircraft registered in the Democratic People's

Republic of Korea. Additionally, the Security Council resolution was transmitted to the Department of Border Police and the Chisinau International Airport Border Police Division in order to ensure more rigorous security monitoring of passengers and baggage arriving from or departing to the Democratic People's Republic of Korea or in transit through the Republic of Moldova.

Based on the relevant provision of Security Council resolution 2321 (2016), the Republic of Moldova cancelled the registration of three maritime vessels that were navigating under the national flag as a result of the entry of those ships into ports of the Democratic People's Republic of Korea.

In accordance with the provisions of the paragraphs that refer to an asset freeze, the National Bank of Moldova informed all commercial banks of the appropriate actions that needed to be taken in that regard. Therefore, commercial banks of the Republic of Moldova have the obligation to update their internal control procedures in order to comply with the requirements of the resolution and identify any individuals designated by the Security Council in its resolution 2321 (2016) that might conduct financial operations related to the nuclear programme of the Democratic People's Republic of Korea. Additionally, special precautionary measures must be taken to stop these kinds of transactions, if identified, and to report, if needed, all suspicious activity to the Office for the Prevention and Fight against Money-Laundering of the National Anti-Corruption Centre. Thus, as of 1 March 2017, the National Bank of Moldova had not been informed about any activity that directly or indirectly involved individuals and entities designated by the resolution.

The Republic of Moldova implemented a national export control system for dual-use technologies and military equipment (legislation, regulations and national control list). Additionally, the Ministry of Economy has established an interdepartmental commission on the control of dual-use technology. Under the auspices of the national export control system and the interdepartmental commission, all private entities willing to export dual-use goods that are included in the national control list are subject to a mandatory licensing procedure. Additionally, every entity that requests authorization to export dual-use goods and technologies is obliged to present an end-user certificate. At this time, no requests have been made to export any dual-use goods or technologies to the Democratic People's Republic of Korea.

All responsible divisions of the Customs Service of the Republic of Moldova were informed of the provisions of Security Council resolution 2321 (2016). At the same time, in the Integrated Customs Information System, based on the Automated System for Customs Data (ASYCUDA) World software, and in accordance with customs risk analyses procedures, relevant risk analyses and additional selectivity criteria were introduced. These elements are designed to raise a red flag concerning any export or import operation that directly or indirectly involves the Democratic People's Republic of Korea and is subject to detailed physical control.

National legislation on export control

In July 2000, the Parliament of the Republic of Moldova approved the law on export, re-export, import and transit of strategic goods (No. 1163-XIV of 26 July 2000), which establishes a strict procedure of export control for strategic goods

crossing the customs territory of the Republic of Moldova. For the implementation of Law No. 1163-XIV, the Government of Moldova approved Decision No. 606 of 15 May 2002 on the national system of export, re-export, import and transit control of strategic goods in the Republic of Moldova. By that Decision, the Government approved:

(a) The statute of the interdepartmental commission on control of export, re-export, import and transit of strategic goods;

(b) The regulations on the control regime of export, re-export, import and transit of strategic goods;

(c) The national control list of strategic goods.

Control list of strategic goods

According to Law No. 1163-XIV of 26 July 2000, the term "strategic goods" includes:

(a) Dual-use (civilian and military) goods, technologies and services;

(b) Armaments, munitions, military equipment and the technologies and services associated with them;

(c) Goods, technologies and services that can be used in the production of nuclear, chemical and biological weapons and the means of delivery for those weapons;

(d) Other goods, technologies and services that require special control in the interest of national security or foreign policy, as well as in compliance with international agreements and commitments signed by the Republic of Moldova;

The national control list is based on the European Union control list and consists of two parts:

(a) Part I (dual-use goods and technologies), which includes 10 categories:

Category 0 – Nuclear facilities and equipment

Category 1 – Chemicals, toxins and microorganisms

Category 2 – Processing of nuclear materials, equipment and installations

Category 3 – Electronics

Category 4 – Computers

Category 5 – Communications and information security

Category 6 – Sensors and lasers

Category 7 – Navigation and avionics

Category 8 – Marine

Category 9 – Propulsion systems, space vehicles and related equipment;

(b) Part II (weapons and munitions).

On 11 May 2006, the Parliament of the Republic of Moldova approved Law No. 111 on the safe deployment of nuclear and radiological activities. Based on the provisions of the law, a single nuclear regulatory body was created: the National Agency for Regulation of Nuclear and Radiological Activities. All the relevant duties of five central authorities were thereby transferred to the Agency. On 8 June 2012, Law No. 111 was substantially updated, taking into consideration International Atomic Energy Agency (IAEA) recommendations (see Law No. 132 on safe deployment of nuclear and radiological activities).

International cooperation and adherence to relevant nuclear security instruments

The following international instruments in the field of nuclear safety and/or security were signed or ratified by the Republic of Moldova:

- Agreement between the Republic of Moldova and the International Atomic Energy Agency for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons, and the Protocol Additional to the Agreement
- Amendment to the Convention on the Physical Protection of Nuclear Material
- International Convention for the Suppression of Acts of Nuclear Terrorism (a national point of contact was designated in 2012)
- Agreement on the Privileges and Immunities of the International Atomic Energy Agency
- Joint Convention on the Safety of Spent Fuel Management and the Safety of Radioactive Waste Management
- Agreement on small quantities of nuclear material
- Acceptance and implementation of the Code of Conduct on the Safety and Security of Radioactive Sources
- Treaty on the Non-Proliferation of Nuclear Weapons
- Comprehensive Nuclear-Test-Ban Treaty
- Chemical Weapons Convention
- Biological Weapons Convention.